

**1. CALL TO ORDER**

The Board of the Burbank Sanitary District convened this date at 7:00 p.m. via teleconferencing in accordance with AB361. President Sclafani called the meeting to order at 7:02 p.m.

**2. ROLL CALL**

Directors Present: Ken Colson, Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor, Rebecca Yoder  
(Left meeting after discussion Item 10.B)  
Directors Absent: None  
Counsel Present: Valerie Armento (present for the open session through item 10.B)  
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager),  
Vani Kathula (Attended only for item 10.C.)  
Visitors: None

**3. APPROVAL OF AGENDA**

**Motion:** To approve the agenda with moving Item 10.B Long Range Financial Planning to follow the end of the Closed Session.

**Move:** Yoder

**Second:** Colson

**Board vote:**

**Ayes:** Colson, Prupes, Sclafani, Kaelker-Boor, Yoder

**Noes:** None

**Absent:** None

**4. PUBLIC COMMENTARY**

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary - None.

**5. AB 361**

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor’s Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer’s surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

**Motion:** Move make findings (1), (2), and (3) in accordance with AB 361.

**Move:** Yoder

**Second:** Colson

**Board vote:**

**Ayes:** Colson, Prupes, Sclafani, Kaelker-Boor, Yoder

**Noes:** None

**Absent:** None

**6. CLOSED SESSION**

**5.A. CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION**

Government Code Section 54956.9(d)(1) Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

Closed session discussion commenced at 7:12 pm and ended at 7:22 pm. Manager Porter and Deputy Manager Woodhouse were excused. No reportable action was taken at the closed session. Staff rejoined the regular session

**10.B. Long Range Financial Planning. (Moved Item)**

Board reviewed and discussed the information related to Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**7. CONSENT CALENDAR**

**7.A. Approval of Minutes from the Regular Meetings of April 19, 2022**

**Motion:** To approve Meeting Minutes from the Regular Meetings of April 19, 2022.

**Move:** Kaelker-Boor                      **Second:** Prupes

**Board vote:**                                      **Ayes:** Prupes, Sclafani, Kaelker-Boor, Colson  
**Noes:** None  
**Absent:** Yoder

**8. WARRANTS**

**8.A. Approval of Warrants.**

1. Mark Thomas & Company, Inc. (District Management Services and BSD CIPs)
2. First Tech Federal Credit Union (Board of Directors' Payroll)
3. Armento and Hynes, LLP (District Legal Services)
4. Richard Tanaka (District Advisor Services)
5. Cupertino Sanitary District (Common Interest Agreement Cost Sharing – Jan – Feb 2022)
6. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)

**Motion:** To approve six (6) warrants as listed.

**Move:** Kaelker-Boor                      **Second:** Colson

**Board vote:**                                      **Ayes:** Prupes, Sclafani, Kaelker-Boor, Colson  
**Noes:** None  
**Absent:** Yoder

**9. NEW BUSINESS**

None.

**10. OLD BUSINESS**

10.A. Status of SRF Loan and CIP Update.

Deputy Manager Woodhouse provided a description of the status of the CIP Project and SRF Loan.

10.B. Long Range Financial Planning.

Item was moved to follow the end of the closed session.

10.C. District Website Update.

Senior Engineer Kathula provided an update on the status of the website update.

10.D. GreenWaste Recovery, Inc. 1) Annual CPI Increase. 2) GreenWaste Quarterly Report Jan – Mar 2022. 3) Annual Clean Up Day Update.

1. Manager Porter provided a description of the GreenWaste agreement and their request for a rate increase based on CPI. GreenWaste rate increase is noted and filed.
2. Board reviewed and noted the GreenWaste Quarterly Report.
3. GreenWaste contact information for Annual Clean Up Day was provided to Board for their use. The Board discussed the Clean Up Day flyer and distribution to customers who do not receive paper bills.

10.E. California Low-Income Household Water Assistance Program (LIHWAP) Update.

Manager Porter reported that BSD is not eligible to participate in the California LIHWAP.

10.F. Public Hearing for FY2022-2023 Taxroll Collection on June 21, 2022. Board action required: Select Rose Garden Library as the venue of Public Hearing.

**Motion:** To have the Public Hearing remotely

**Move:** Kaelker-Boor

**Second:** Colson

**Board vote:**

**Ayes:** Prupes, Sclafani, Kaelker-Boor, Colson

**Noes:** None

**Absent:** Yoder

10.G. Form 470 Filing Update. Board action required: Complete individual filling by 7/31/22.

Board members to file Form 470 by 7/31/22.

10.H. COVID-19 Update.

No update.

**11. HOUSEKEEPING ITEMS**

11.A. Updates on Housekeeping Items.

No update.

11.B. Agenda Items for Next Upcoming Meeting.

Move the Long-Range Financial Planning agenda item to occur immediately after the end of the closed session.

**12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, June 7, 2022**

**Motion:** To adjourn meeting at 8:47 pm.

**Move:** Kaelker-Boor **Second:** Colson

**Board vote:** **Ayes:** Colson, Kaelker-Boor, Sclafani, Prupes  
**Noes:** None  
**Absent:** Yoder

Approved: June 21, 2022

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Procopio Sclafani, President

District Manager  
Benjamin T. Porter, PE